

## THE BALL IS NOW ROLLING

### Football League Formed Last Night.

THE football men met last night at the headquarters of the Maile Illima Athletic Club for the purpose of organizing a league. Four clubs were represented, Honolulu Athletics, Maile Illima Athletics, Oahu College Alumni and H. Hackfeld & Co.

John Wise filled the chair. W. Williamson was elected secretary and George Lucas treasurer of the league.

The Hackfeld representative stated that his team had not yet decided about entering the league. He said that they would know definitely after next Saturday's game with the Honolulu Athletics.

No representative of the Artillery was present, but it was stated that the Camp McKinley boys were practicing regularly and would probably enter a team.

It was decided to defer fixing a schedule until next Monday night, in order to give the Hackfeld and Artillery teams time to come to a decision.

November 9th was definitely settled upon as the latest date for the first league game.

Mr. Williamson stated that he had conferred with the Oahu College authorities and said that he thought that there would be no difficulty in obtaining the use of the college campus for league games. He suggested that a small charge be made for admission and that say twenty per cent of the gross receipts be turned over to Oahu College to defray the expenses of marking, roping and keeping the ground in order.

The meeting finally adjourned until Monday evening at 8 o'clock at the same place.

It is probable that a set of officials will be selected to do duty throughout the whole of the league series. To this end managers of the several teams are canvassing the town for gentlemen who are capable and willing to act in judicial capacities.

Two games are scheduled for next Saturday. The Honolulu Athletics and Hackfeld & Co. will play, and the Maile Illimas and the Artillery. A game has also been arranged between the Maile Illimas and Oahu College for a date as yet unset.

George R. Carter is frequently mentioned as a referee during the coming season. He possesses a thorough knowledge of the game, and is fearless in his decisions. He has filled the office with credit in important games of past seasons.

With a prospect of five league teams the outlook for the coming football season is bright. The Maile Illimas are being coached by Benson. Their team includes most of the players who won the championship for the green and gold last year. The line will be fairly heavy, and the team as a whole promises to put up a very fast game. Practice is held every afternoon in front of the Honolulu Iron Works, at Kakaako. The turnout yesterday numbered over twenty-two.

The Artillery team retains the services of only two or three of last year's players. The vacancies have been filled by recruits lately arrived from San Francisco. C. A. Elston is coaching the team. The team as a whole will be lighter than last year, but faster and more heady. The progress made in the preliminary work has so far been encouraging.

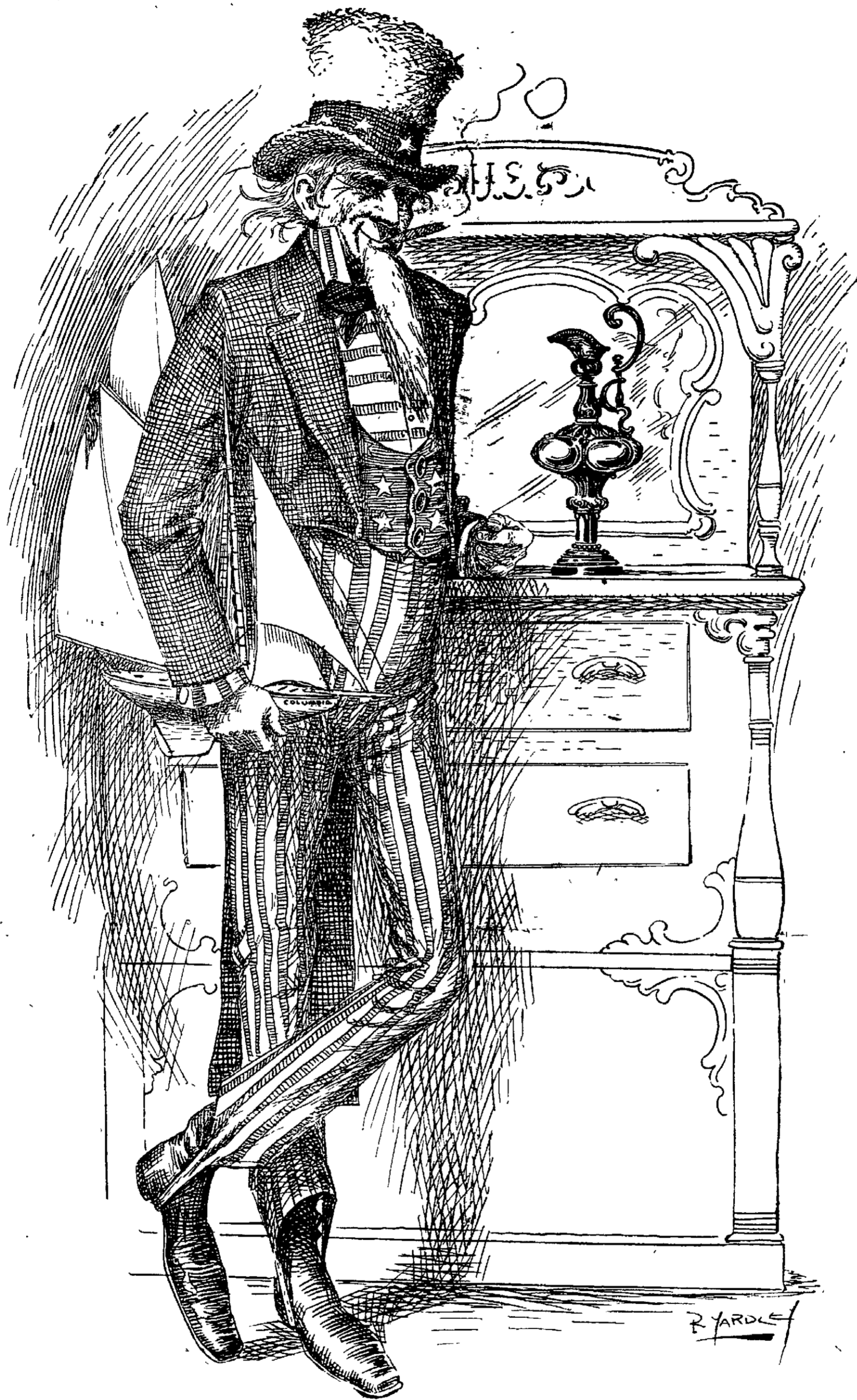
Oahu College is poorly off for material this season, and will, in consequence, not tackle any of the senior clubs. The Oahu College alumni team, however, is a certain contestant for league honors, and should, on last season's showing, be well up at the finish.

H. Hackfeld & Co. has the making of a very fair team. They demonstrated this a week ago last Saturday when practically unprepared, they succeeded in holding down the Maile Illimas to a score of 15-0. Last night several of the eleven were practicing at Makiki, and showed much improved form.

The Honolulu Athletic Club has a world of players to select from, in fact they have material for two good teams. It is difficult to estimate what the league line-up will be, and the task of selections will be a very difficult one. Eight or nine different men turn out to practice at Makiki every afternoon, and new players are constantly introducing themselves. The line will be the heaviest however of the league teams. Nothing definite as to the league team is yet known, but Cunha seems certain of a place at center, and Gleason will probably play quarter. Rollins is acting as coach.

A full eleven turned out to practice last night with a few extras who formed the nucleus of a scrub team and bucked against the regular line. Forty-five minutes of useful work was indulged in. No signs of any use, and the commands were delivered very badly. Not much tackling was attempted. Interference work receiving the greatest share of attention. Among those who took part in yesterday's practice were Messrs Cunha, Jay J. Lane, Gleason, Williams, Aylett, J. Wise, W. Vida, Rollins and Schermerhorn. There will be practice again at Makiki, this afternoon, starting at 4 o'clock.

The Makiki Association Football team were doing some preliminary kicking at Makiki yesterday afternoon. This team is mainly made up of Scotch players who played with the Scottish Athletic Association team last season. They have already issued a challenge



UNCLE SAM--Ye-See I've Got Kinder Used to Seein' This Piece of Bric-a-brac in the Dinin' Room an' I Hate to Let It Go.

## REFOREST HAMAKUA

### Forester Haughs Recommends Seeds.

Forester David Haughs made his report and recommendations to Wray Taylor yesterday upon the results of his visit to the Hamakua forests. He believes that the burned district may be reforested by the sowing of seeds, as the fire has destroyed the many noxious weeds which would otherwise smother the young seedlings. The report of Forester Haughs is as follows:

Honolulu, Oct. 14, 1901.  
Wray Taylor, Esq., Commissioner of Agriculture and Forestry.

Sir.—I herewith submit my report of my second visit to the fires in the Hamakua forest. This visit was made in company with Superintendent Boyd and Mr. Campbell.

The first day, Sept. 18th, we met Mr. A. Horner and Mr. Carter, who explained and guided us through what is called the Fire and the Bee fire. Although arriving there late in the afternoon of that day, after having ridden from Kawaihae, we had time to thoroughly investigate the tremendous devastation that was being done by these fires and the great difficulties to be encountered in trying to check them. I say check, for we are confident that those fires must either burn themselves out or be drowned by a deluge of rain before they are entirely subdued.

On Sept. 18th, we started from Kula, where we stayed over night. Our kind host, supplying us with fresh mounts, we started for the fire of July 3rd. Mr. Walker of Oskala Plantation joined us at G. Osborne's coffee plantation. This coffee plantation was almost totally destroyed by this fire, and the scorched trees standing withered and dry were pitiful to look at. We then continued our journey toward the fire. After travelling the burned district for several miles, we arrived at the camp erected for the men who are fighting this fire. The method adopted in trying to check the fires is by digging trenches one foot deep and from two to four feet wide all around the burning section, and then continual watching in case of sparks flying over and igniting in the unburned section. In windy weather great difficulty is encountered and many a little patch is to be seen where sparks have carried over the trench and started on the other side. These in turn have to be dealt with in the same manner before they get time to spread.

Mr. Horner, Mr. Walker and Mr. Carter have men night and day doing this work. It is costing quite a lot of money, but it is money well spent. This work is being done and the money is being spent by Mr. Horner and those who are interested and who have been assisting him in confidence that the legislature will do the fair thing by them and reimburse them for the money they have been spending in trying to save the government forests. The fires have been mostly on government lands, and as there was no appropriation to draw from for such work, it is fortunate that those patriotic citizens came forward and lent a helping hand in the way they have done. After visiting this fire we returned again to Waimea, intending to go on to Kohala on Monday morning, Sept. 24th. On Sunday evening Mr. A. Horner telephoned that a fire had started in a field of trash on the Paauilo Plantation, and that it had spread into a ravine and from there into a field of cane belonging to a Portuguese, burning about forty-five acres of cane, and that there was danger of it getting into the Louison Brothers' coffee plantation. Mr. Boyd and I talked the matter over, and concluded that the best thing to do would be for me to return to Hamakua, and be present at the inquest that was supposed to take place next day. I, along with Charles Williams, started for Hamakua early on Monday morning, and arrived in time to accompany the judge and jury in examining the fire. Next day an inquest was held at Honokaa, and a number of witnesses were examined, but no clue to the person who started the fire was found. I then, along with W. J. Rickard, visited the Honokaa homesteads.

A number of the homesteaders, who are convenient to the plantations, are planting cane on their lands, others are growing corn, coffee, and vegetables. They are suffering a good deal for want of rain. Between W. J. Rickard and Mr. Horner's homesteads, there is a narrow strip of land left as a reserve. Mr. Rickard and Mr. Horner, when fencing their own lands, also fenced this government reserve, and they are willing to plant this piece of land with forest trees at their own expense, providing the government will give them the seeds, or plants. By doing this they will improve the government property, and at the same time, after the trees get up, they will act as a breakwind for their homesteads. I think work of this kind ought to be encouraged, and every assistance possible given to those who are willing to do such work.

I joined Mr. Boyd and Mr. Campbell when they arrived at Kohala, and we started for Waimea Valley. We arrived there on Saturday evening and stayed until Monday morning. The green and healthy vegetation was quite a change from the dusty roads and the dried up plantations only a few miles distant. The vegetation here is something grand and a bath in the stream was a luxury that we could not do for. Hamakua. In our tour through Hamakua we visited all the plantations on route. The managers of all these plantations are more or less interested in trees, and carefully guard the rows of trees along the roads.

(Continued on Page 43)

## PROMOTIONS IN NATIONAL GUARD

An order making changes and promotions in the various companies of the National Guard was posted at headquarters yesterday. It was signed by Colonel Jones and Adjutant Schaefer, and stated that the promotions were made upon the recommendations of company commanders. They were as follows:

Company A—Private F. Bechert, to be corporal, dating from September 26; Private B. Gebauer, to be corporal, dating from October 4.

Company G, taking effect October 4—Corporal B. K. Kane, to be a sergeant; Private K. Kaukauliki, to be a sergeant.

Company C, effective October 11—Private M. F. Olival, to be a sergeant. Upon the recommendation of the commander of Company E and of the surgeon, the following enlisted men of the company are transferred to the hospital corps: Neki, Kumukiki, Kalihau and Folioles.

Superintendent Boyd says the rock crusher at Kalihau will stir where it is, despite the objections of the Board of Health.

## PLAN PLAY GROUND FOR CHILDREN

There will be steps taken at once for the improvement of the proposed children's playground, which has been secured for the use of the boys and girls who will come under the influence of the men at the head of the movement. There are five acres in the plot of ground which it is intended shall be used for the purpose of the playground. According to the plans there will be grounds for baseball, football and handball, while tennis courts and tracks for races will leave just enough for field sports and grass plots for the little ones.

The tract which is to be used lies to the rear of the Kauluwela lodgings which were formerly known as Camp No. 2 back from Vineyard street. Ewa of the stream. There is the usual terrace which exists when the land was formerly in the shape of taro fields, and this will necessitate grading to make the lots possible for use as a playground. It is proposed that there shall be some elaborate landscape gardening done before the grounds are ready for use, as the impression of

beauty is to be carried as well as that of utility.

In this connection there is a story of a claim which is now before the Court of Fire Claims, in which the Boys' Brigade people are interested. It appears that before the quarantine of the district about Beretania and Smith streets a building had been erected upon a corner of the Kauluwela church lot, in size 40 x 60 feet, at a cost of about \$1,400 which was in constant use prior to the breaking out of the plague. When the building was needed the Board of Health through Armstrong Smith asked Mr. Richards for the use of the structure agreeing to replace the building with another one at the same or a different place. The building was used by the Board of Health until the fire, and then the Boys' Brigade folk were told to file their claim with the court.

The case has been presented and the point pressed upon the court that the building was under the care, and in fact was the property of the Board of Health, under the promise that it was to be paid for by that body. Should this money be secured for the playground it could be pushed at once.

M. P. Lagan, of the Inter-Island Company, took a shot Saturday night at a burglar who was endeavoring to effect an entrance to his house in Kalia through a window. The burglar was not hit.

## ST. CHAD PHANILA Secretary Hawaiian Association Football League

### Many Postal Boxes Surrendered

Postoffice mail boxes to the number of fifty were surrendered upon the beginning of the present quarter and although they have found quick takers the number of persons who have asked that their mail be sent to their houses or places of business have increased. The statistics of the number of pieces of mail carried have not been made up as yet, but the officials who have the service in charge are pleased with the growth of the calls. Cards have been placed in all the boxes about the city showing the times of the mail collections. There are to be four collections in the residence districts and six in the main part of the city.













## WHARF AND WAVE.

## ARRIVED.

Friday, October 11.

Am. bk. Albert, Griffiths, from Tacoma.  
Str. Hanalei, Peterson, from Kauai ports; 5:30 a. m.  
Str. Waialeale, Plitz, from Kauai ports; 12 m.  
Am. lg. Geneva, Aus, from San Francisco.  
S. S. Peru, Pillsbury, from San Francisco; off port at midnight.

Saturday, October 12.

Am. bk. Alden, Besse, Kiesel, 25 days from San Francisco; 9 a. m.  
Str. Kinau, Freeman, from Hilo and way ports.  
Str. Lehua, Napala, from Maui and Molokai ports.  
Str. Noeau, Wyman, from Hanamau-lu.

Str. Nihau, Thompson, from Kauai.  
Str. Aluli, Bennett, from Hawaii.  
Sunday, October 13.  
Str. Claudine, Parker, from Maui ports.  
Str. Mikahala, Gregory, from Kauai ports; 1 a. m.  
Str. Hawaii, Bennett, from Hawaii ports; 1:30 a. m.

Monday, October 14.

Am. bkt. S. G. Wilder, Jackson, 16 days from San Francisco; 8 a. m.  
Am. sp. Andrew Welch, Drew, 26 days from San Francisco; 9 a. m.  
Schr. Kalulani, from Waiuku with 200 bags of rice.

## DEPARTED.

Friday, October 11.

Gaso, schr. Eclipse, Townsend, from Lahaina, Kihel, Makana, Kailua, Naapoo and Hoonaka; 3 p. m.  
Schr. Mille Morris, for Island ports.

Saturday, October 12.

Str. Waialeale, Plitz, for Hanamau-lu and Ahukini; 3 p. m.  
Am. bkt. Kikikita, Rose, for the Sound; 8 a. m.  
Am. bkt. Coronado, Potter, for San Francisco; 10:30 a. m.

MAHUKONA, Oct. 10.—Departed—Schr. Honoipu, Olsen, for Port Townsend, in ballast.

Monday, October 14.

Schr. Malolo, for Hanalei and Kailua; 5 p. m.  
Str. Nihau, W. Thompson, for Anahola and Kilauea; 5 p. m.  
Str. Noeau, Wyman, for Lahaina, Kananapali and Kauai ports; 5 p. m.  
Str. Lehua, Napala, for Molokai ports; 5 p. m.  
Str. Hanalei, Petersen, for Hanamau-lu and Ahukini.

THE Columbia won three races, all by narrow margins. The last race was won barely by the Columbia's time allowance of forty-three seconds.

Such was the information obtained from the steamship Peru at an early hour this morning. No papers containing the account of any of the contests could be obtained. The telegraphic matter appearing herewith is from the special Associated Press letter.

NEW YORK, Oct. 5.—A dispatch to the Herald from London quotes the Daily Mail as saying:

"Sir Thomas Lipton has, if we may use the Irish-like expression, scored a splendid failure. His countrymen on this side of the ocean, and doubtless Canadians and others, have already extended to him admiring sympathy. His countrymen are fully alive to the great service he has rendered a mainly, adventurous national pastime, the pastime of a people who have made history upon the sea."

NEW YORK, Oct. 5.—The London correspondent of the Tribune quotes a prominent English yachtsman as saying that a renewed attempt to capture the America's cup had been made improbable for a long time to come owing to the general disappointment in Great Britain over the result of the latest international races. "Sir Thomas Lipton will not try again," he added, "and there is no other British yachtsman with money to spare for so expensive an enterprise, hence the cup will remain in America for another decade."

## AGAINST THE JAPANESE.

## Police Department Has a Mass of Testimony on Slavery.

The police department has ready for use a mass of matter which may yet form the basis of a new attack upon the class of Japanese parasites whose methods suggest slavery of the women whom they control.

Much information was gathered sometime ago when an attempt was made to secure the deportation of some of these people, and although there were no convictions there was a great deal of testimony discovered. There may be found some opening which will be used by the police department for the forcing of these people to the wall, and it is understood that all the law officers in the Territory will meet together.

## Alameda's Repairs.

The Oceanic Company's steamer Alameda, Captain Herriman, will call at the Pine-street wharf from the Kilauea Works tomorrow, preparatory to loading for the trip to Honolulu on October 12th in place of the Maupua. The Alameda has had new hulls put on and may be given a trial spin on the bay tomorrow.—Chronicle Oct. 1.

## Of Interest to Mariners.

While at Kawaihewa, representatives of the Public Works Department installed a new light sixty-one feet above the sea level. The new light is situated from the side of the old light on the Mahukona side. It is a white light, and is made by a kerosene flash-burner.—Herald.

## STRICKEN WITH PARALYSIS.

Henderson Grimes, of this place, was stricken with partial paralysis, and completely lost the use of one arm and side. After being treated by an eminent physician for quite a while without relief, my wife recommended Chamberlain's Pain Balm, and after using two bottles it he is almost entirely cured.—George R. McDonald, Man. Logan Co. W. Va., U. S. A. Several other very remarkable cures of partial paralysis have been effected by the use of this liniment. It is most widely known, however, as a cure for rheumatism, sprains and bruises. Sold by all druggists and dealers. Benson, Smith & Co., Ltd., agents for Hawaii Territory.

Miss Helen Long, daughter of Secretary Long, is dead.

# COOPER IN WASHINGTON

## He Contradicts the Resignation Canard.

(Special Correspondence.)

WASHINGTON, D. C., Sept. 30.—Secretary Henry E. Cooper of the Hawaiian Territory arrived here Sunday evening and is stopping at the Cochran Hotel. Mr. Hartwell, who travelled part the way between here and Honolulu with him, has gone on to Boston, where three of his daughters are at school. As soon as the departments were open this (Monday) morning Mr. Cooper called to pay his respects to the Secretary of the Interior. By that official he was conducted around the department and after a brief informal chat about affairs in the islands departed. There was an understanding that he will have a further conference with Secretary Hitchcock later in the week. He also visited the Treasury Department where he also made some formal calls and then went back to his hotel where he resumed work on the annual report of Governor Dole. With the big sheets spread out on a table in one of the corner windows he went about the task of completing the report.

"I expect the work on that report will be ready for the Secretary of the Interior by the end of this week," said Mr. Cooper. "There is little in the report which I care to discuss in advance but it contains nothing of a sensational character. There are some statistics to come on the next mail, arriving here probably Thursday. Our trip over was very pleasant and satisfactory but without any noteworthy incident. At San Francisco I hastened across the bay to catch the Overland train, which left at 10 o'clock in the evening about an hour after the Sierra landed. I made such good time that I beat the mail here to Washington by a day."

Mr. Cooper expects a conference with Secretary Hitchcock before the end of this week and as soon as the report is completed will go on to Boston, his old home, and visit among friends there a few days. He took occasion to emphatically deny the report, telegraphed over the country the night of his arrival that Governor Dole was to resign and that he had the resignation in his pocket. "The report of Governor Dole's resignation was entirely strange to me," said Secretary Cooper. "I know absolutely nothing about it."

The belief here, as stated in a previous letter to the Advertiser, is that the report was encouraged by statements which Judge Humphreys has been making that he would drive Governor Dole to resign and that the decision in the charges presented against him (Humphreys) could mean nothing else.

The rumor of the resignation of Governor Dole was accentuated here to some extent today when a petition was presented at the Interior Department to Secretary Hitchcock and also at the White House asking on behalf of the Home Rule Republican party the appointment of Delegate Wilcox as governor. The petition came by the same steamer as that on which Secretary Cooper travelled and was handed to the Secretary of the Interior today by Mr. D. Kalauekalan, Jr., who is the private secretary of Delegate Wilcox but who is residing this summer in Washington.

The full text of the resolution is as follows, the copy in each instance being the same for the President and for Secretary Hitchcock, each copy being formally certified by John K. Nakoa-koo.

Honolulu, H. T., Sept. 18, 1901.

To the President of the United States and Secretary of the Interior, Washington, D. C.

Sir—Whereas, the failing condition of Hon. S. B. Dole, Governor of the Territory of Hawaii, has grown so serious as to incapacitate him for further discharge of the responsible duties of his office, and, in the opinion of his medical advisers, is such as to render necessary and imperative his retirement from the cares and concerns of official life, and

Whereas, we are advised that he has tendered, and is about to tender, to the President, his resignation from office; and

Whereas, we are hopeful and firm in the belief that in the selection of a successor to Governor Dole, it will be the purpose of the President to appoint one who is familiar with our local conditions and necessities, who will have the confidence and affection of the people, and commands the respect of his political opponent, and

Resolved, that we, the executive committee of the Home Rule Republican party of the Territory of Hawaii, hereby endorse Hon. Robert W. Wilcox for appointment as Governor of the Territory of Hawaii, and, in the name and on behalf of the people of Hawaii, pray the President of the United States therefor.

Be it further resolved, that the chairman and secretary be, and they hereby are, directed to forthwith forward a duly signed copy of this resolution to the President of the United States, and to the Secretary of the Interior.

We do hereby certify that the foregoing is a true and correct copy of a resolution which was duly and unanimously adopted by the executive committee of the Home Rule Republican party of the Territory of Hawaii, this 14th day of September, A. D. 1901.

JOHN K. KALAEKALAE, Chairman.

JOHN K. NAKOAKOO, Secretary.

# THE EPISCOPAL QUESTION

## MAY BE LEFT UNSETTLED

SAN FRANCISCO, Oct. 5.—Five new bishops may be elected at this convention. Two will positively be chosen and the other three are probabilities, with some little doubt attached to the present practicability of the move. Who will be selected for the exalted office is not yet even reduced to a list of probabilities, but it is suggested that Rev. Dr. Clappett, pastor of Trinity Church in San Francisco, the oldest, richest and most noted Episcopal congregation on the Pacific Coast, is a very likely man for one of the western fields where a bishop is to be placed.

A bishop must be elected for the missionary diocese of Olympia, in the State of Washington, to take the place of Right Rev. Dr. Barker, who died recently. This is the place that is believed to call for the services of some eminent western clergyman for promotion to the rank of bishop, and in this connection Rev. Dr. Clappett's name and personality are prominently mentioned.

A bishop must be elected for the missionary diocese of North Dakota, to take the place of the Right Rev. Dr. Edsall, now bishop of Minnesota. A clergyman elevated to fill this bishopric will more likely be chosen from the northwestern field, because there are said to be many capable clergy in the great district between Chicago and Helena, Montana, who might be looked upon as fitted for the eminent promotion. In both cases of choosing these missionary bishops for Olympia and North Dakota the nomination would be made first in the house of bishops and then sent to the house of deputies for ratification. As some of the most eminent clergy in the Episcopal church of this country are in the house of deputies it is not at all unlikely that the nominations may be made largely from the present delegates.

There will also be a bishop provided for Porto Rico and another provided for the Philippines; if not for both, probably for one of the new insular groups.

A bishop may also be appointed for Hawaii. And here, again, a well-informed, popular and efficient western clergyman may be chosen, though the East may be the recruiting field. The advisability of appointing a bishop for Hawaii will be one of the critical questions, and the policy problems of the present convention. The situation in the islands is peculiar. The church there is divided against itself, or rather against its English bishop. For thirty years the Right Rev. Dr. Willis has been in Honolulu as Bishop of Hawaii, sent out for the purpose from England. Hawaii was never under British rule, or protection, but it had an English missionary bishop for the work of its Episcopal missions from the days of savagery. Eventually the islands passed into the possession of the United States, and the jurisdiction of the Archbishop of Canterbury and the

English house of bishops was obviously eliminated. The islands were then within the direct jurisdiction of the house of bishops of the Episcopal church of the United States. The Archbishop of Canterbury and the English bishops conceded this, and said that they were perfectly agreeable that the United States house of bishops appoint a Bishop of Hawaii for the diocese. But Bishop Willis could not be removed.

Then the Archbishop of Canterbury and the British house of bishops refused to support him further, as he was in United States jurisdiction. But Bishop Willis still hung on, maintaining himself from certain established local sources of revenue. For a long time it has been expected by the Archbishop of Canterbury and by the house of bishops of the United States that Bishop Willis would resign and the United States send out a bishop to take charge of the field. But Bishop Willis does not intend to resign.

Practically all the Episcopals in Honolulu, a city of more than 40,000 people, attend the other church. One Episcopal congregation has sent its pastor up to San Francisco to attend this convention merely as an interested clergyman. Yesterday his credentials were presented for acceptance as an honorary attendant at the sessions and, after a little flurry of debate, the majority of the house of deputies decided not to accept them, and thus put themselves on record as not taking any sides in the Hawaiian controversy, though many of the members are strong personal friends of the rectory. Whether or not this convention will appoint a Bishop of Hawaii is the puzzle. There are some who think that action may be deferred, as there are comparatively few Episcopals in the islands, and not many of the American members of the church know anything about the true conditions of the field, and would prefer to put off action until the next convention, three years from now.

In addition to the discussion of creating or filling some or all of these five bishoprics by elections at this convention there are possibilities that two new missionary jurisdictions with missionary bishops may be created in the United States. One would be in central Illinois, and the other a part of the State of Kansas. The house of bishops has received petitions calling for divisions of territory to create these two jurisdictions. One petition is from the diocese of Springfield, one of the three dioceses into which the State of Illinois is divided. The other is from the diocese of Kansas, which embraces the entire State. Each diocese requests that a part be cut off its territory and made into a missionary jurisdiction. The plan is to relieve the present diocese in each case from supporting the church work in the proposed new districts, and missionary jurisdictions being maintained from the general fund.

ity with the foregoing views, it is error for the circuit judge to allow an attorney's fee to the attorney of the legatees and make the same a charge against the administrator's commissions."

The opinion was written by Judge Galbraith, Perry and Little sitting with him on the case.

Judge Humphreys was sustained in the case of Esther N. Phipps et al. vs. Nettie L. Scott and the Kona Sugar Company, the opinion being written by Perry. The court dismissed the petition, holding that plaintiffs had a plain remedy at law.

"When a lessee fails to pay the rent reserved in a lease, the lessor has a plain, speedy and adequate remedy at law, to recover either the amount of such rent or summary possession of the land. In such case, equity has no jurisdiction to declare the forfeiture of the lease. So, also, the aid of equity to declare such forfeiture cannot properly be invoked on the ground that the lessee has each installment of rent only after legal proceedings for recovery of summary possession of the land have been instituted."

## CIRCUIT COURT NOTES.

The Schiefel property was resold Saturday at auction to Henry Smith, one of the interested parties, for \$3,500. It had been sold twice before, but owing to a misunderstanding the parties refused to accept the property at the price they had offered.

A demurrer has been filed by defendant in the case of the Kapilani Estate vs. Charles Desky suit to foreclose mortgage on the Progress block.

A petition has been filed requesting the appointment of A. S. Mahauli as administrator of the estate of Kealahapauole Makahi.

George W. Ashley has been appointed guardian of the persons minors. The estate consists of real property in this city.

The will of Francisco Gomes Capucha has been admitted to probate. His widow is named as sole heir and executrix.

## HURT IN A RUNAWAY.

MAUI, Oct. 12.—On the 10th the hill just above the Kalaupani plantation house, Makawao, was the scene of a runaway accident, the results of which, though not fatal, still were quite serious in their nature. The wagon, belonging to Maunaloa Seminary, drawn by two spirited horses in charge of two Japanese, was returning to Paia from the old seminary premises in upper Makawao with a load of firewood. At the Kalaupani hill a telephone line on a horseback galloped swiftly by, edging something to the left as he passed. Either the rushing of the horse or the yelling of the man frightened the animals, and after rearing and plunging furiously, they broke the wagon pole and ran down the slope. The wagon was soon completely wrecked by striking against the side of the hill, and the two Japanese were thrown out. One of them was badly injured, and the head that the doctor at Paia hospital feared concussion of the brain for a time, and the other man quite seriously injured his foot.

The horses set free by the breaking of the trace ran for a quarter of a mile until stopped by the telephone operator, who unintentionally started the animals upon their mad career. Last evening, the 11th, the regular meeting of the Makawao Debating Society took place in the parlors of the Paia Hotel. The subject discussed was "Resolved, that Chinese laborers should be admitted into the United States."

Messrs. D. C. Lindsay and C. E. Copeland, as leaders of the affirmative, opposed Messrs. W. C. Crook and F. A. Alexander, the leaders of the negative. The former won the approval of the audience present.

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# Primo Lager

HOME PRODUCTION

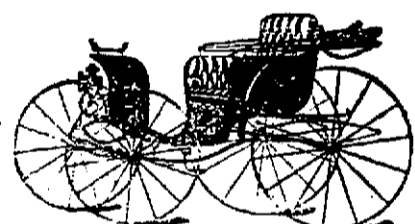
Draught and Bottled Beer Delivered on and after

MONDAY, JULY 1st, 1901

**Island Orders Promptly Filled.**

**Wagons, Brakes,  
Phaetons, Surreys,  
Buggies,  
Runabouts.**

Harness, Varnishes, Carriage  
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**Pacific Vehicle and Supply Co.**

Day Block, Beretania Street, Honolulu.

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We Are Prepared to Fill All Orders for

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Fertilizers.**

ALSO, CONSTANTLY ON HAND:—  
PACIFIC GUANO, POTASH, SULPHATE OF AMMONIA,  
NITRATE OF SODA, CALCINED FERTILIZER,  
SALTS, ETC., ETC., ETC.

Special attention given to analysis of soils by our agricultural chemist.  
All goods are GUARANTEED in every respect.  
For further particulars apply to

DR. W. AVERDAM, Manager. Pacific Guano and Fertilizer Company

At the next meeting the debaters will discuss the question whether or not the dissemination of anarchistic sentiments, either printed or spoken, should be permitted by law.

The annual election of officers resulted as follows: D. C. Lindsay, president, C. E. Copeland, vice president, and H. F. Engle, secretary.

**New Four-Masted Barkentine.**  
Koko Head will be the name of a big four-masted barkentine soon to be launched at Bock & Son's shipyard in Oakland for Hind, Ralph & Co. of this city. The vessel is named after a well-known rock on the eastern shore of the island of Oahu, which is generally the first part of Oahu to be sighted from steamers running from this port to Honolulu. The barkentine will have a length of 140 feet, beam of 41 feet and depth of 17 feet, tonnage of 1,200 and is to have big keels—an innovation in the construction of sailing vessels on this Coast.—Chronicle Oct. 5